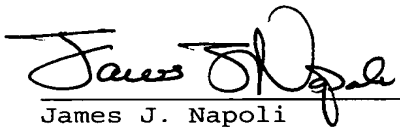




TFW

PATENT--NO FEE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---------------------------------|---|--|
| Applicants: |) | I hereby certify that this |
| |) | paper is being deposited |
| MICHAEL A. MITCHELL ET AL. |) | with the United States |
| |) | Postal Service with suffi- |
| Serial No.: 10/619,854 |) | cient postage, as first |
| |) | class mail, in an envelope |
| Filed: July 15, 2003 |) | addressed to: |
| |) | Mail Stop Amendment |
| For: CONTINUOUS MANUFACTURE OF |) | Commissioner for Patents |
| SUPERABSORBENT/ION EXCHANGE |) | P.O. Box 1450 |
| SHEET MATERIAL |) | Alexandria, VA 22313-1450 |
| |) | |
| Attorney Docket No. 29827/39446 |) | Dated: April 11, 2006 |
| |) | |
| Group Art Unit: 3761 |) | |
| |) | |
| Examiner: Michael G. Bogart |) | |
| |) | |
| |) |  |
| |) | James J. Napoli |
| |) | Registration No. 32,361 |
| |) | Attorney for Applicants |

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Office Action dated March 16, 2006, applicants hereby elect the invention represented by the claims of examiner's Group I, namely, claims 32-36 and 79-81, with traverse, for examination on the merits at this time. It is submitted, however, that claims 32-48, 77, and 79-81, i.e., examiner's Groups I, II, and III should be examined at this time. The novelty of the invention is defined in the claims of Groups I, II, and III which are not independent and

distinct inventions because the statutory requirements of 35 U.S.C. §121, namely, independence and distinctness, are not present herein.

The inventions of examiner's Groups I, II, and III are not independent because the articles and the methods set forth in the claims are so closely related that a search for applicants' elected claims of examiner's Group I would necessarily encompass a search for the claims of examiner's Group II and III, i.e., all claims recite a layer of an unneutralized acidic resin and unneutralized basic resin on a support surface or sheet, or bonded acidic and basic resin particles, and used in an article, such as a diaper.

In addition, even if the inventions are considered independent, there is no evidence that a search directed to claims of examiner's Groups I, II, and III would be a *serious burden* on the examiner, as is required by M.P.E.P. §803. ("If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." and "There must be a serious burden on the examiner if restriction is not required.")

In particular, it is submitted that a complete search directed to the subject matter of the claims of examiner's Group I would require a search directed to the subject matter of the claims of examiner's Groups II and III, and vice versa.

Because search and examination of the Groups I, II, and III can be made without serious burden on the examiner, it would be wasteful of the time, effort,

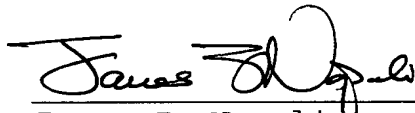
and resources of both the applicants and the Patent Office to prosecute three groups of claims in separate applications. Search and examination of these three groups of claims in a single application would be much more efficient than requiring the Patent Office to prosecute each group of claims in separate applications. Search and examination of three groups of claims in a single application would be much more efficient than requiring the Patent Office and applicants to do so in separate applications. Accordingly, it is submitted that all claims of examiner's Groups I, II, and III should be examined at this time.

Reconsideration of the restriction requirement and an examination of examiner's Groups I, II, and III are respectfully requested. An early action on the merits is solicited.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP

By



James J. Napoli
(Registration No. 32,361)
Attorneys for Applicants
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
(312) 474-6300

Chicago, Illinois
April 11, 2006